



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/033,970

12/20/2001

Karl Hansen

24,954-25

9112

7590

03/19/2008

JOHN F. KLOS  
FULBRIGHT & JAWORSKI L.L.P.  
80 SOUTH 8TH STREET  
SUITE 2100  
MINNEAPOLIS, MN 55402

EXAMINER

AMIRI, NAHID

ART UNIT

PAPER NUMBER

3679

MAIL DATE

DELIVERY MODE

03/19/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/033,970	<b>Applicant(s)</b> HANSEN, KARL	
	<b>Examiner</b> NAHID AMIRI	<b>Art Unit</b> 3679	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 28 January 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1,3,4,6,10,11,13,14,25 and 26 is/are pending in the application.
- 4a) Of the above claim(s) 20-24 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,3,4,6,10,11,13,14,25 and 26 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed 1/28/2008 in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 1/28/2008 has been entered. The application is not in condition for allowance in view of the new grounds of rejection set forth below. Claims 2, 5, 7-9, 12, 15-19, and 27-31 are canceled. Claims 1, 3, 4, 6, 10, 11, 13, 14, and 20-26 are pending.

Claims 20-24 stand withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on 8 December 2003.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

**Claims 1, 3, 6, 10, 11, 13, 14, 25, and 26 are rejected under 35 U.S.C. 102(b) as being anticipated by US Patent No. 3,456,547 Strong.**

With respect to claim 1, Strong discloses an apparatus for coupling (Figs. 1-2, 5) comprising a first generally planar member (62) having a pair of generally opposed surfaces and an oblong slot (63) therebetween disposed at an engaging region; a coupling member

(constituted by a threaded bolt) having an external thread set and having a non-spherical elongated portion (constituted by a pin 65) which radially contacts the opposite walls of the oblong slot (63), with contact between the elongated portion (65) and the oblong slot (63) occurring across a substantial length of the oblong slot, whereby the planar member (62) and coupling member are locked in position relative to each other when the portion (65) is inserted into the oblong slot of the planar member (62); and a non-planar member (10) having an internal thread set adapted to engage the external thread set of the coupling member thereby connecting the non-planar member (12) to the first planar member (62), wherein portions of the pair of generally opposed surfaces of the planar member (62) extend into the thread set of the non-planar member (10).

With respect to claim 3, Strong discloses (Figs. 1, 5) that the oblong slot (63) is formed in a region adjacent an edge portion of the first planar member (62); and wherein the opposite walls of the oblong slot (63) are generally parallel and in contact with generally parallel walls of the elongated portion of the coupling member.

With respect to claim 6, Strong discloses (Fig. 5) that the coupling member has a larger diameter dimension than a thickness dimension of the first planar member.

With respect to claim 10, Strong discloses an apparatus for connecting two members together (Figs. 1, 2, 5) comprising a first member (62) having a pair of centrally opposed major surfaces and defining an engaging region, and an oblong slot (63) disposed at said engaging region, an elongate threaded coupling member (constituted by a bolt) having an external thread set and an engaging portion (constituted by a pin 65) for engaging the oblong slot (63) of the first member (62), said threaded coupling member removably engaging the slot; and a second member (10) having an internal thread set sized to cooperate with the external thread set of the threaded coupling member, wherein said external thread set of the threaded coupling member is threadedly received within the internal thread set, wherein portions of the first member extend into the internal thread set of the second member (10).

With respect to claim 11, Strong discloses (Figs. 2, 5) that the elongate threaded coupling member is two longitudinal portions of a threaded shank each having a threaded exterior surface and a substantially flat interior surface.

With respect to claim 13, Strong discloses (Figs. 2, 5) wherein the thickness of the first member (62) is less than a diameter of the internal thread set.

With respect to claim 14, Strong discloses an apparatus for joining two members via a threaded coupling member (Figs. 2, 5), the apparatus comprising a first member (62) having an oblong slot disposed proximate an edge; an elongate threaded coupling member (constituted by a bolt ) having an external thread set and an engaging portion (constituted by a pin 65) corresponding to the oblong slot (63) of the first member (62), said threaded coupling member removably engaging the oblong slot (63) and extending away from the edge of the first member (62), and a second member (10) having an internal thread set sized to cooperate with the external thread set of the threaded coupling member, said internal thread set operatively receiving a portion of both the external thread set of the threaded coupling member and a portion of the first member to secularly bind the first member to the second member.

With respect to claim 25, Strong discloses (Figs. 1-3) that the elongate threaded coupling member is two longitudinal portions of a threaded shank each having a threaded exterior surface and a substantially flat interior surface.

With respect to claim 26, Strong discloses (Figs. 2, 5) that the thickness of the first member is less than a diameter of the internal thread set.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claims 1 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent No. 6,474,920 B2 Lin.**

With respect to claims 1 and 4, Lin discloses an apparatus for coupling (Figs. 1, 2 and 7) comprising a first generally planar member (5) having a pair of generally opposed surfaces having a non-spherical elongated portion (constituted by a ball 58 and a spring 56); a coupling member (4) having an oblong slot (43), the oblong slot (43) defined by a pair of opposite walls; and an external thread set (40); wherein the opposite walls of the oblong slot (43) contact between the elongated portion (the ball 58, and the spring ) and the oblong slot (63) occurring across a substantial length of the oblong slot (43), whereby the planar member (5) and coupling member (4) are locked in position relative to each other when the portion (58, 56) is inserted into the oblong slot (43) of the planer member (5); and a non-planar member (10) having an internal thread set adapted to engage the external thread set of the coupling member thereby connecting the non-planar member (10) to the first planar member (5), wherein portions of the pair of generally opposed surfaces of the planar member (5) extend into the thread set of the non-planar member (10). Lin does not disclose that the oblong slot located on the planar member and the non spherical is part of the coupling member. It would have been obvious to one of ordinary skill in the art at the time of invention was made to locate the oblong slot on the planar member of Lin and the non-spherical elongated portion being part of coupling member, since it has been held that a mere reversal of the essential working parts of a device involves only routine skill in the art. *In re Einstein*, 8 USPQ 166 (CCPA 1931).

With respect to claim 4, Lin discloses the claimed invention except for the planar member having more than one slot. However, it would have been obvious to one of ordinary skill in the art at the time of invention was made to consider that, the duplicating the components has been consistently held that mere duplication of the essential working parts of device involves only routine skill in the art. *St. Regis Paper Co. V. Bemis Co.*, 193 USPQ 8 (CAFC 1977). Accordingly, it would have been an obvious duplication of parts to one of ordinary skill in the art to provide Lin with more than one slot so as to enable adjustable assembly and provide for a duplicative effect.

***Response to Arguments***

Applicant's arguments with respect to claims 1, 3, 4, 6, 10, 11, 13, 14, 25, and 26 have been considered but are moot in view of the new ground(s) of rejection and the new interpretation of reference Lin (US 6,474,920 B2) for claims 1 and 4.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nahid Amiri whose telephone number is (571) 272-8113. The examiner can normally be reached on 8:30-5:30. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel P. Stodola can be reached on (571) 272-7087. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Nahid Amiri  
Examiner  
Art Unit 3679  
February 28, 2008

/Daniel P. Stodola/  
Supervisory Patent Examiner, Art Unit 3679